

PDR No. PD-0899-18
Appellate Cause No. 06-17-00161-CR
Trial Court No. 15F0716-202

PATRICK JORDAN
Appellant

VS.

STATE OF TEXAS
Appellee

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ON APPEAL FROM THE
FILED
COURT OF CRIMINAL APPEALS
3/28/2019
DEANA WILLIAMSON, CLERK
202nd JUDICIAL DISTRICT
BOWIE COUNTY TEXAS

FIRST MOTION TO EXTEND TIME FOR FILING STATE'S BRIEF

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the State of Texas by and through her below named Criminal District Attorney and pursuant to Texas Rules of Appellate Procedure and hereby requests a thirty (30) day extension of the time period for the filing of the State's Brief and in support of the same should show the Court as follows:

I.

1. This case is pending from the 202nd Judicial District of Bowie County, Texas.
2. The case is styled State of Texas v. Patrick Jordan, Cause No. PD-0899-18.
3. Appellant was found guilty of Deadly Conduct and sentenced to four years (4) in the Institutional Division of the Texas Department of Criminal Justice.
4. Appellant's Brief was filed on February 26, 2019 making the State's Brief originally due on or about March 28, 2019.
5. The State has not previously requested an extension of time for filing the State's Brief.

6. The Brief was not timely prepared in this matter due to the press of the business. Said business includes, but is not limited to, the following since Appellant's brief was filed:

- Preparation of writ of certiorari brief for *Owens v. State*, Cause No.18-7038.
- Preparation of brief for Bryan White v. State, Cause No. 06-18-00205-CR.
- Preparation for trial and meetings on State of Texas v. Gary Tanner Royal, Cause No. 18F1154-102.
- Preparation of Bowie County Grand Jury on March 22, 2018;
- Preparation for and meetings on pre-trial dockets on April 2, 2019.
- Attendance and preparation for and meetings on pre-trial dockets on March 5, 2019 and March 6, 2019.
- Preparation and attendance at Grand Jury on March 7, 2019.

II.

The State's attorney has been diligent in pursuing this appeal and is not seeking this extension for the purpose of delay.

PRAYER

WHEREFORE, on the bases of Rule 73 of the Texas Rules of Appellate Procedure, the State respectfully requests this Court to grant the Motion for Extension of Time for the filing of the State's Brief.

Respectfully submitted,

/s/ Randle Smolarz

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ASSISTANT DISTRICT ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion to Extend Time for Filing State's Brief was forwarded to counsel of record on March 28, 2019.

/s/ Randle Smolarz

Randle Smolarz